

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROBERT SIMMONS, JR.

PETITIONER

V.

NO. 4:16cv159-DMB-JMV

MARSHELL L. FISHER, ET AL.

RESPONDENTS

ORDER

Petitioner is a state prisoner proceeding *pro se* and has filed a petition for writ of habeas corpus. Petitioner is required to either pay the filing fee of \$5.00 or submit a proper request to proceed *in forma pauperis*. Petitioner will be provided the opportunity to submit either the \$5.00 payment of the filing fee or the proper request to proceed *in forma pauperis*. Therefore, it is

ORDERED:

That within 30 days petitioner is directed to either pay the filing fee with a money order or a check issued from his prison inmate account, or fill out the attached application to proceed *in forma pauperis*, complete the authorization for release and have the authorized officer responsible for overseeing his prison account fill out the certificate of account, and mail to the Clerk's Office.

Petitioner is directed to acknowledge receipt of this order by signing the enclosed acknowledgment form and returning it to the court within 14 days of this date. Petitioner is also warned that his failure to comply with the requirements of this order may lead to the dismissal of his petition for failure to prosecute and for failure to comply with an order of the court.

THIS the 5th day of July, 2016.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE